

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/640,409
Filing Date	August 17, 2000
First Named Inventor	Alken Jr. et al.
Group Art Unit	2141
Examiner Name	Le Hien Luu
Attorney Docket Number	5577-205

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCE's (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
 ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_  
 iii. ☐ Other \_\_\_\_\_

### b. ☒ Enclosed

- i. ☐ Amendment/Reply  
 ii. ☐ Affidavit(s)/Declaration(s)  
 iii. ☒ Information Disclosure Statement (IDS)  
 iv. ☒ Other: Petition to Withdraw from Issue Under 37 C.F.R. § 1.313(c)(2)

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## 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 09-0461.

- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)  
 ii. ☐ Extension of time fee (37 C.F.R. § 1.136 and 1.17)  
 iii. ☒ Other: Petition fee in the amount of \$130.00

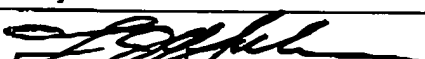
b. ☐ A check in the amount of \$\_\_\_\_\_ is enclosed to cover the RCE and petition fees.

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

d. ☒ If necessary, the Director is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 09-0461.

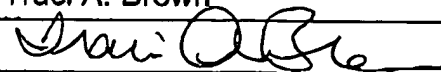
Myers Bigel Sibley & Sajovec, P.A., P. O. Box 37428, Raleigh, North Carolina 27627,  
 Telephone: (919) 854-1400, Facsimile: (919) 854-1401, Customer No. 46589

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Timothy J. O'Sullivan	Registration No. (Attorney/Agent)	35,632
Signature		Date	February 10, 2005

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office, Office of Petitions, via facsimile number 571-273-0025 on the date shown below.

Name (Print/Type)	Traci A. Brown	Date	February 10, 2005
Signature			

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